TUTHILL ON THE

Terribly Damaging Testimon Given by Neighbor.

ESTATE LEFT TO CHILDREN

UNABLE TO ACCOUNT FOR LATI-MER'S QUESTION.

7 EW YORK, July 22.- The coroner' inquest, called to investigate the shooting of Albert C. Latimer at me in Brooklyn on the morning of July 2, was resumed today. Latimer

All he told of the shooting was that he was shot in bed, and that he did not believe it was done by a burglar.

Frank Taylor testified that he heard shots on the morning of July 2, and that some one cried out:

"Walter Walter"

shots on the morning of July 2, and that some one cried out:

"Walter, Walter."

Mrs. Bella Treadwell testified that a long time ago Mrs. Latimer had said it was "hard to be tied to a man and see some one eise you really loved."

H. Tuthill testified that he had read that Latimer, when in the hospital, asked if he (Tuthill) was being watched. He denied that a meeting between himself and Mrs. Latimer in Twenty-third street, New York, told of by Latimer's sister, was prearranged.

The matter was explained to Latimer, and they continued friends. On the night of the shooting he went to the Clarendon hotel, called on a young woman friend, whose name he would give if required, and then he went home, arriving there at II:15.

Later a patrol wagon was sent for him by Mrs. Latimer, and he went to her home and did what he could for her. He said he could not account for Latimer's question: "Is Tuthill being watched?"

Stayed at Latimer Home. It was true, he said, that he stayed at the Latimer home two nights after the shooting, but he did so because none of Latimer's brothers was able to re-

Hannah Larson, a servant in the Tut-hill home, corroborated Tuthill's state-ment that he had arrived at his home at 11:15.

at 11:15.

Elias Kasindorf, who lives near the
Latimers, said he heard loud voices in
the Latimer house five minutes before
the shooting. He could see the back
yard of the Latimer house, and was
sure that no one escaped that way.

Mrs. Albert C. Latimer, the widow,
was recalled and asked to describe the was recalled and asked to describe the man she said shot her husband. She said the man wore a mask, so that she could not see his face; therefore she did not know the color of his eyes, nor

whether he had a moustache. He was of medium height. He wore the peaked cap found in the house after the shoot-The hearing went over until tomor-Latimer's will was filed today. It

disposed of property worth \$150,000. With the will was filed a codicil, written on a prescription blank, while Latimer lay on his deathbed in St. Mary's hospital. This codicil, which is incoherent, reads as follows: reads as follows:

"Codicil: I desire all of my among my children only.

(Signed.) "A. C. LATIMER."

The original will gave the widow one-tenth of the property absolutely, and the income of one-third additional for life, the remainder of the extract to go

FULL BLOODED INDIAN SUES WIFE FOR DIVORCE

Guthrie, O. T., July 22.—The first case on record wherein a full-blooded Indian has petitioned for a divorce has occurred in the federal caurt at Pawnee when Spah-Pah-Bear asked a legal separation from his wife. Maude Bear. He charged her with infidelity, abandonment and with gross neglect of her household duties. The plaintiff was very old, and almost blind, and was accompanied by several sons and daughters. The wife did not appear in court.

The evidence was taken through interpreters. Judge Haines granted the divorce.

GERMAN TARIFFS RAISED.

Prussian Representatives Make Strong Fight, But Lose.

Berlin, July 22.—During the last sittings of the customs tariffs committee of the reichstag, numerous increases upor the schedule proposed by the government were adopted, respite the vigorous opposition of the Prussian representatives.

Furniture, wood pulp, paving stone, brick and celluous, all had the tariff raised. Count von Posadowski-Wehner, imperial secretary of state for the interior, protesting, said:

"Through such increased duties our commercial armore may become too."

commercial armor may become too heavy for us to fight in it successfully. The tariff bill, framed after long discussion in the federal council, already constitutes a compromise which should not be imperiled in order to gratify private wishes and local interests."

vate wishes and local interests."

The Lokal Anzeiger quotes Count von Posadowski-Wehner as telling the tariff committee today:

"I can say to you, gentlemen, that my beilef is our turiff bill will never pass."

The count made use of the above expression as a climax to his speech against the proposed increases in the tariff. His declaration has made a tremendous sensation in political circles, and the ministry, probably through a desire to modify the naked statement of Count Posadowski-Wehner, published a weaker statement of his words.

ESTIMATES FOR 1904.

Many River and Harbor Projects in

works in Oregon, in his annual report to the chief of engineers, makes the following estimate for 1904:
Willamette river, above Portiand and Yarnhill river, \$50,000: Columbia river and lower Willamette, below Portland, \$550,000; to complete the project, \$2,673,500: mouth of the Columbia river, Oregon and Washington, \$600,000; to complete the project, \$1,776,181: tributaries of the Columbia river, below the Willamette, \$40,000; Coquell river, Oregon, \$5,000; Coos bay, Oregon, \$2,370; to complete the poject, \$1,741,412; Siuslaw river, Oregon, \$75,000; to complete the project, \$13,000; improvement of the Columbia river at the Dalles, \$200,000; improvements of the Columbia river at the Columbia river at the Columbia river at the Cascades, \$239,260.

SANTOS-DUMONT IN NEW YORK. New York, July 22.—George Von L. Mayer, United States ambassador to Italy, and Alberto Santos-Dumont, the Brazilian aeronaut, were among the passengers on the steamship Kronprinz Wilselm, which arrived today from Bremen.

prinz Wikelm, which arrived today from Bremen.

Santos-Dumont, who is scheduled to make a series of airship ascensions near New York, said he was very glad to hear there would be several competitors for the prizes offered at the St. Louis exhibition, as it would stimulate interest in the building of airships.

WARFARE IN KENTUCKY FOR EDUCATION

WITNESS STAND Assassination of Cockrell Will **Probably Cause Another Bloody Conflict.**

Lexington, Ky., July 22.—James Cockrell. lown marshal, who was brought here
from Jackson last night, mortally
wounded, died today. He was shot from
the court house window at Jackson yesterday by an unknown assallant. Friends
of the wounded men say they fear his
death will be the signal for a probonged
and disastrous warfare in Breathitt
county.

A report feached here today that the wholesale store of William Jett at Jackson was borned last night by incendiaries. Jett is a relative of Curt Jett, with whom Cockrell got into a shooting affray at Jackson a week ago. The burning of the store puts another alarming phase on the feud relations. There is talk here among the members of the party who brought Cockrell here of laying the situation before the governor and asking state interference.

TO BE BURIED TODAY.

Brother of Deceased to Leave Town After Funeral.

Jackson, Ky., July 22.—James Cockrell. assassinated yesterday from an upper window of the court house, will be burled tomorrow morning. There was no demonstration today when the remains arrived from the Lexington hospital, and the town is quiet tonight, but the general impression is that after the funeral the friends of Cockrell will assume the aggressive and the Harris faction the defensive.

gressive and the Harris faction the defensive.

It is generally known that both sides have their arms stored about the town and are ready to line up at any time. Samuel Jett, uncle of the dead boy, is expected to become the leader now of the Cockrell faction.

With the exception of Thomas Cockrell, now in jail for the murder of Benjamin Hargis, the eldest in the family is McKiniey Cockrell, aged 19, and too young to be made a leader in such a contest as is expected. The funeral tomorrow must take place from the Cockrell farm near Jackson.

McKinley Cockrell said tonight that he would leave as soon as the burial of his brother was over, and very many others are leaving the town.

SUSPENDED AND FINED

Major Glenn Found Guilty by Courtmartial-Cook Acquitted.

major Glenn Found Guilty by Courtmartial—Cook Acquitted.

Washington, July 22.—Secretary Root today sent to the president at Oyster Bay the proceedings and findings in the courtmartial cases of Major Edwin F. Glenn, Fifth Infantry: Lieutenant Julien E. Gaujot, Tenth cavalry, and Lieutenant Norman E. Cook of the Philippine scouts.

Glenn was found guilty of administering the water cure to natives, or permitting it to be done, and was sentenced to one month's suspension from duty and fined \$50.

Lieutenant Cook was acquitted on a charge of giving orders to kill three Filipino prisoners. The testimony showed that he had given orders to shoot the prisoners if they attempted to escape. The Filipino scouts to whom this order was given thought it meant to shoot the prisoners.

It forwarding the cases to the president, the secretary recommends that the sentences and findings be approved, but that no other action shall be taken. It is not believed that the president, who is the reviewing authority in these cases, will make any comments such as were delivered by him in the case of General Smith. It is shown in the evidence and reports that Major Glenn has performed excellent service and has done much to pacify the country where he has been in command.

COLONEL WARD PROMOTED.

Grant Tendered Command of De-

Washington, July 22.—Colonel Thomas Ward, chief of staff to General Miles, was today appointed a brigadier general in the regular army, vice Jacob Smith, General Ward himself

retired.

General Ward himself will retire in the course of a day or two, when Colonel Joseph P. Sanger, inspector general's department, now in the Philippines, will become a brigadier general.

General Frederick D. Grant, at present in the Philippines, has been tendered the command of the department of Texas, and it is thought here he will accept it. This is the department to which General Smith originally was assigned.

OUTLINES PARTY ISSUES.

Georgia Democrat Says Chances Are Good For Control of House.

New York, July 22.—Congressman James M. Griggs of Georgia, chairman of the Democratic congressional campaign committee, who is in this city to meet other members of his committee, says the issue of the next companies, from a Democratic

members of his committee, says the issue of the next campaign from a Democratic standpoint should be the tariff. the trusts, the Philippines and ship subsidy. "I think there is a very good chance, he said, "for the Democrats to control the next house on the issues I have named."

Mr. Griggs will meet Lewis Nixon, the chairman of the finance committee of the national committee, today and arrange with him for the establishment of the headquarters of his committee in New York. The committee will have its home at the Hoffman house, beginning Aug. 1.

DEATH LIST GROWING.

Latest Reports Say That 104 Passen gers Are Dead or Missing.

Hamburg, July 22.—The Primis, which with 185 passengers was cut in two and sunk by the tug Hausa yesterday, has been partially raised and terday, has been partially raised and brought nearer shore. The total number of missing is now placed at 104. Sixty-one bodies have been recovered. Inquiry into the circumstances of the disaster shows that there is a great lack of life-saving appliances on the Elbe excursion steamers. The Primus is known to have had on board only six life belts and a single boat. The steamer Dolphin, which came up later with 400 passengers, also had only one boat, capable of carrying seven persons.

CLAIMS PRIOR RIGHT.

Colorado Farmers Ask Restraining

Order Against Denver.

Denver, July 22.—About 180 farmers, consumers of water along the city ditch, have filed suit in the district court asking that an injunction issue to restrain the city of Denver from giving permission to the Denver Union Water company to run the city ditch water through its pines.

Course of Construction.

Washington, July 22.—Captain W. C.
Langfitt, in charge of river and liarbor works in Oregon, in his annual report to the chief of engineers, makes the following estimate for 1904:
Willamette river, above Portland and Yarnhill river, \$50,000; Columbia river

KING WALKED YESTERDAY.

London, July 22.—The weather was less disagreeable at Cowes this morning, and the reports from the royal yacht Victoria and Albert continue to chronicle King Edward's improvement. It is said that he walked a few steps yesterday.

yesterday.

The king will hold his first council since A. J. Baifour became premier on board the yacht shortly. It is expected that the new lord lieutenant of Ireland to succeed Earl Cadogan, whose resignation was made public July 17, will then be announced. JEALOUS YCAUSES TRAGEDY.

Harrisburg. Pa. July 22.—William Filer, a steel worker, shot and killed his wife and Harry Bennett, a machinist, today at Steelton. It is alleged Filer was jealous of Bennett's attentions to his wife. The murderer escaped.

LARRY CRONIN DEAD

Ouray, Colo., July 22.—Larry Cronin, superintendent of the Camp Bird mine, who fell 120 feet down a manhole Sunday afternoon, died today from internal injuries.

OF NEW OFFICERS

Spanish War to Study Tactics.

WAR COLLEGE BOARD TO ESTAB- WOODEN PILES WOULD NOT DO LISH SEVERAL SCHOOLS.

ASHINGTON, July 22.-Secretary Root, before leaving Washington today, issued the following: force and the withdrawal from Cuba the army is called upon to resume its most important work in time of peacethe work of perfecting itself in military science and skill, and in promoting the preparation of the United States against future wars. I wish to call matters, is on his third trip around the your attention to the conditions which now require especial effort and zeal on your part in the performance of this

"Since the declaration of war with Spain, in April, 1898, there have been appointed in the line of the army 1,542 lieutenants, in addition to 276 appointed from the military academy. Of these 616 were appointed from officers of volunteers under the act of Peb. 2, 1901: 414 were appointed from the enlisted men of the regular and volunteer armies and 512 were appointed from

armies and 512 were appointed from civil life.

"The abandonment of the military schools for commissioned officers, which followed the employment of the entire army in active military operation, has left these 1,52 new licutenants substantially without any means of acquiring a systematic military education.

cation.

"While many of the former officers of volunteers have acquired the most valuable experience by active service in the field, yet it is of great importance to them, as well as to the untrained appointees from civil life and from the ranks, that they shall have an opportunity for broad and thorough training, both practical and theoretical, until competent masters in the art of war whom our army is able to supply.

Army Schools Reonened

Army Schools Reopened. Army Schools Reopened.

"Congress has now, with wise liberality, made provision for the reopening of the army schools, has given its sanction to the general system of military education embodied in the general order of Nov. 27 last, including the enlargement and development of the Fort Leavenworth school into a general service and staff college, the establishment of a war college at Washington, with a suitable building, and the rebuilding of the engineers' school, and has made ample appropriations for has made ample appropriations for

these purposes.

"Every effort will be made by the war college board, which has general supervision and charge of the whole system, to bring its advantages to the new officers of the army as speedily as possible and to organize officers'

new officers of the army as speedily as possible and to organize officers' schools at all the considerable posts without delay.

"I ask for hearty co-operation with them on the part of every officer of the army. There are 1,452 graduates of the military academy now holding commissions. They especially have an opportunity to demonstrate their loyalty to the principles of that institution by helping to diffuse throughout the service the benefits which have come to them from their four years of hard work.

"The newly appointed officers should

"The newly appointed officers should realize that in order to qualify for an independent command, for which they should all hope, they should devote much of their time to the systematic study of the reasons of military actions and the materials and the conditions

study of the reasons of military actions and the materials and the conditions and difficulties with which military commanders are forced to deal.

"Careful attention to the instruction of the newly appointed officers is enjoined on all regimental troop, battery and company commanders. They should be impressed with the importance of the faithful performance of every duty, however unimportant it may appear to them, and with their responsibility for such conduct and bearing in all their relations as shall do honor to the service."

KING REMEMBERS TOOLE.

Famous Actor Celebrates Anniver-

sary of His Appearance. London, July 22.—In company with Sir Henry Irving and other friends, John Lawrence Toole, the comedian, celebrated at Brighton today the jubicelebrated at Brighton today the jubi-lee of his first appearance on the boards. Mr. Toole received many gifts, and King Edward sent him from Cowes a congratulatory telegram. Mr. Toole is an invalid, but is still able to drive daily. This evening he went to the theatre with Sir Henry Irving.

A PALACE FOR THE DEAD.

Mackay Mausoleum Cost \$300,000-

Mackay Mausoleum Cost \$300,000—
Contains Daly's Body.

New York, July 22—The Mackay mausoleum in Greenwood cemetery, in which the body of John W. Mackay will be placed, was completed about two years ago. It is built of granite with a marble interior, and cost about \$300.000.

A large granite cross surmounts the building, and at each corner of the roof there is a life size figure. The mosalc work of the marble floor and ceiling is elaborate, and the interior is in the form of a chapel, with an altar. Electric lights around the ceiling are lighted automatically by the opening of the bronzeddoors of the mausoleum. There are twenty-two crypts.

The body of Mr. Mackay's son, John W. Mackay, ir., who was killed by his horse's fall in France in 1898, was placed in the mausoleum soon after its completion. The body of Mrs. Mackay's father rests there. The body of Marcus Daly also is in one of the crypts, pending the erecting of a Daly family vauit. The body of Mr. Mackay will be placed in the crypt directly under the altar.

A MESSAGE FOR MACKAY.

Cunard Lines Has Wireless Telegram For Millionaire's Son.

London, July 22.—The Cunard line steamer Saxonia, sailing from Liverpool for Boston today, has a wireless telegram for Clarence H. Mackay, son of the late John W. Mackay, who sailed from New York Saturday, July 19, on the Campania of the same line. The Saxonia hopes to communicate with the Campania tomorrow or Thursday.

The Saxonia hopes to communicate with the Campania tomorrow or Thursday.

The remains of Mr. Mackay have been embalmed and placed in a metalilic coffin, which is now resting in the music room of the Mackay residence, surrounded by flowers which have been sent in great profusion. Cards, letters and telegrams from many distinguished persons in all parts of the world continue to arrive in great numbers.

Mrs. Mackay is as well as could be

WASHOUT CAUSES WRECK. El Paso, Tex. July 22.—Galveston, Houston & San Antonio eastbound passenger train was ditched by a washout eight miles east of Sierra Blanca foday. The engine and mail cars were overturned. Gus Emery, colored porter, was killed, and Fireman Evans was seriously hurt. A number of passengers sustained slight injuries.

MAY HINDER LUCIN CUT-OFF

Lieutenants Appointed During Famous Scientist Talks of Bottom of Lake.

WILL ATTEND WAR COLLEGES SAYS THERE MAY BE CRUST

DR. ADOLPHUS T. KECKELER, the noted American scientist who has been in the city for the past few days, spent the afternoon at Salt lake yesterday gathering some information about Utah's famous and maysterious dead sea. Dr. Keckeler, who is one of the most famous scientists of their peoples and the geological construction of the various places. He bears an international reputation and was decorated with the Red Eagle of Germany for a work on science which he read in that country. He has spent while resulting an automatic property and is considered an automatic property and is considered an automatic property. has been in the city for the past this country, and is considered an authority upon a number of scientific matters, is on his third trip around the world, and will go from here to the Yellowstone to study the geological formation of that country, after which he will go to Alaska to measure the movements of the Muir glacier.

Dr. Keckeler has devoted much of his time to the study of thought, what it is, what its origin was and how it is influenced. At the present time he is

Dr. Keckeler is very much interested in Salt Lake, and will remain over a day or two longer to get more information about the salty body of water. When asked about the fluctuations of the lake that have caused so much discussion here. Dr. Keckeler stated that he had not been able to secure informa-



Dr. Adolphus T. Keckeler.

assertions about it, but he was of the opinion that the diverting of waters from the inflowing rivers was responsible for the fall of the lake to a great

degree.
The rapid evaporation and deficiency in precipitation, he thought, also played important parts in it. The doctor

stated that from his knowledge of such lakes he is of the opinion that there is a solld crust of precipitated material in the bottom of the lake that may offer some impediment to the construction of the Lucin cut-off across the lake. He says that if this crust proves to be there no solid treasile can be conlake. He says that if this crust proves to be there, no solid trestle can be constructed without putting the piles through it to the earth beneath, and that wooden piles would be useless in such crusts. Scientific demonstrations, he says, prove that only steel piles will be of any good if such a crust exists. The doctor hopes to be able to determine before he leaves whether there is such a crust on the lake bottom or not.

Fame as a Scientist.

DODEN FILES WOULD NOT DO
FOR TRESTLES.

Dr. Keckeler was born and raised in this country, and has resided for forty years in Cinclinati, O., where he has been at the head of a number of scientific organizations. He has been around the world twice and crossed the ocean the noted American scientists who has been in the city for the past of life. He has visited almost every country on the globe and made studies.

influenced. At the present time he is engaged in writing a book on "The Tangibility of Thought," in which he says he will demonstrate and prove some things that will throw an entirely new light upon this matter that is looked upon as the important thing in the field of science today. He has made an exhaustive study of the thought of different nationalities, and his book will be written upon facts secured by ex periments upon these different peoples. After he leaves Alaska he will go to Japan and then to India, where he will make further investigations along that

MONTANA EDITOR DEAD.

Helena, Mont., July 22.—Thomas De Yarmon is dead at Horton, Kan., where he had gone for the benefit of his health. He was the founder of the Vir-ginia City Madisonian, one of the old-

ginia City Madisonian, one of the oldest papers in the state.

Learning the printing trade at Independence, Mo., he took part in the border troubles preceding the civil war, and went to Utah with General Albert Sydney Johnston to suppress the Mormon uprising. He was one of the first stampeders to Colorado at the time of the Pike's peak excitement, and came to Montana in 1865. He was elected to several office, but about a year ago was stricken with paralysis, and went east for treatment. east for treatmen

+ CHILD IN COURT'S CHARGE.

(Special to The Herald.)
Pueblo, Colo., July 22.—After
hearing today on the writ to compel Clarence E. Copper to return
his child to its mother in Salt
Lake. from where it was kidnaped some weeks ago, Judge
Voorhels decided that the court
would take charge of the child
pending further investigation.

JUDGE J. L. PENDERY DEAD. Colorado Springs, Colo., July 22.—
Judge J. L. Pendery, a pioneer of the
state and one of the best known lawyers and mining men of the west, is
dead at his home here after a long illness. He came to Colorado thirty years
ago and figured prominently in the
early history of Leadville, Cripple
Creek and Colorado Springs. He was
born in Hamilton, O., In 1827.



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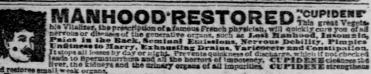


HE cause of nerve weakness and resultant diseases is the wasting of the natural electricity, which is the essence of vital force. When the store nature has supplied becomes exhausted the nerves let down the bars which have been the safeguard against disease, then one or more of the organs indicate the trouble by pain in the affected parts. Rheumatism Backache, Kidney Trouble, Tired Fecting, Indigestion and Constipation are some of the symptoms of lack of nerve strength. You can regain your lost strength and rid yourself of pain forever by using

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Where Bargains Greet the Buyer, 212-14-16 S. West Temple St., Next to Postoffice.

Electric lights are strung over the principal walks at Lagoon. It gives a pretty effect to the grounds and makes them at night almost as light

Trains leave regularly at 7, 9, 11 a. m., 1:30, 3:30, 5:30, 6:30 and 7:30 p. m. On Sundays extra trains leave Salt Lake at 2:30 and

4:30 p. m. The 2:30 train arrives in time for

Will you be out on the 24th?



the baseball game.

This Only Was the Witchcraft She Used.

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T

You'll find the secret of her successful baking to lie in the fact that she uses HUSLER'S FLOUR. Makes tempting, toothsome, bread, cake, pastry. Goes farther and is cheaper because much better than other brands. Always uniform in quality, reliable, economical. Once tried, becomes the household favorite

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